

THE Town of Winnipeg Beach

BY-LAW NO. 02/2015

LOCAL IMPROVEMENT BY-LAW

Being a By-law of the Town of Winnipeg Beach to authorize the Expenditure and Borrowing of money for the completion of Lagoon upgrades as a Local Improvement.

WHEREAS Section 311 of *The Municipal Act*, S.M. 1996, C.58, provides in part as follows:

If approved by by-law, a municipality may undertake, as a local improvement for the benefit of all or part of the municipality,

- (a) the acquisition, development, upgrading or replacement of one or more of the following:
 - (i) sewage collection and treatment facilities;
 - (ii) water supply, treatment and distribution facilities;
 - (iii) waste management facilities;
 - (iv) highways;
 - (v) drainage systems; or
- (b) any other project the cost of which includes a capital component.

AND WHEREAS subsection 320(1) of *The Municipal Act* provides as follows:

Subject to subsection (2) to (6) and subsection 321(4), a Council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal; and
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.

AND WHEREAS Section 172 of *The Municipal Act* provides in part as follows:

In this Division,

"Borrowing" means the borrowing of money, and includes

- (b) borrowing to pay for a local improvement under Division 4 (Local Improvements and Special Services) of Part 10,
- (e) issuing debentures

AND WHEREAS, the Council of the Town Winnipeg Beach has prepared Local Improvement Plan No. 2015-02 providing for the spending, borrowing authority, and imposition of taxes for the completion of the Lagoon upgrades as a local improvement pursuant to Part 10 of *The Municipal Act*;

AND WHEREAS, in order to complete such undertaking, it will be necessary for the Town of Winnipeg Beach to borrow the sum of \$1,166,668.00 as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

AND WHEREAS the consecutive annual amounts, including principal and interest, required to be raised each year for Ten (10) years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

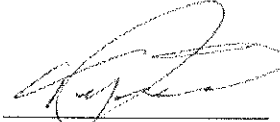
AND WHEREAS the requirements are prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with;


AND WHEREAS the amount of the existing borrowing debt of the Town of Winnipeg Beach is \$1,083,387.12, of which no portion of the principal or of the interest thereon is in arrears;

NOW THEREFORE the Council of the Town of Winnipeg Beach in regular session assembled, enacts as follows:

1. That pursuant to subsection 320(1) of *The Municipal Act*, Winnipeg Beach adopts Local Improvement Plan No. 2015-02 attached hereto as Schedule "B".
2. That the Town of Winnipeg Beach may expend up to Three Million Five Hundred Thousand dollars (\$3,500,000.00) for the purpose of completing the lagoon upgrades as a local improvement.
3. That for the aforesaid project, the said municipality may borrow One Million, One Hundred and Sixty Six Thousand, and six Hundred and sixty-eight dollars (\$1,166,668.00), such borrowing shall be issued by the Town of Winnipeg Beach in the Province of Manitoba, and shall be payable at the Noventis Credit Union in the Town of Winnipeg Beach, and shall be dated the 31st day of December, A.D. 2015.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 5% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 31st day of December in each of the years 2016 to 2025, both inclusive.
5. That the issuance of borrowings shall be signed by the Mayor or by some other person authorized by by-law to sign same, and by the Chief Administrative Officer of the Town of Winnipeg Beach and there shall be affixed thereto the corporate seal of the said municipality.
6. That during the currency of the said borrowing; namely, in each of the years 2016 to 2025, both inclusive, there shall be raised annually by a per parcel rate on all the rateable property based on one (1) parcel of land on property that is real property in the Town of Winnipeg Beach described in Schedule "C" hereto, an amounts sufficient to provide the principal and interest requirements hereunder.
7. That pursuant to subsection 174(3)(d) of the *Municipal Act*, pending the issue of the borrowing, the Council of the Town of Winnipeg Beach may agree with a bank or person or borrow from the general funds of the Municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed Three Million Five Hundred Thousand dollars (\$3,500,000.00).
8. That, at any time prior to or within (30) days following completion of the work, any ratepayer of the area affected by the local improvement as described in Schedule "C" hereto may commute and pay in one principal sum that part of his/her share of the debt herein authorized in respect of the per parcel amount provided herein to the said Chief Administrative Officer of the Town of Winnipeg Beach and thereafter no per parcel rates shall be levied against his/her said lands in respect of the borrowing to be authorized herein.

Done and passed by a by-law of the Town of Winnipeg Beach in the Province of Manitoba this 25th day of July, 2015.



Mayor

Chief Administrative Officer

Read a first time this 22nd day of April A.D. 2015.
Read a second time this 22nd day of July A.D. 2015.
Read a third time this 25th day of July A.D. 2015.

Town of Winnipeg Beach

SCHEDULE - A TO BYLAW NO. 02/2015

Local Improvement Debenture Issue

Term (Yrs.):	10	Amount:	1,166,668.00
Date:	December 31, 2016	Rate (%):	5.0000
	December 31, 2016-		
Payable:	2025	Annual Payment:	151,088.84
		First Year's Payment:	151,088.84
		Adjusted Last Year's Payment:	151,088.88

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2016	58,333.40	92,755.44	1,073,912.56
2017	53,695.63	97,393.21	976,519.35
2018	48,825.97	102,262.87	874,256.48
2019	43,712.82	107,376.02	766,880.46
2020	38,344.02	112,744.82	654,135.64
2021	32,706.78	118,382.06	535,753.58
2022	26,787.68	124,301.16	411,452.42
2023	20,572.62	130,516.22	280,936.20
2024	14,046.81	137,042.03	143,894.17
2025	7,194.71	143,894.17	0.00
TOTALS	344,220.44	1,166,668.00	

Town of Winnipeg Beach
Schedule B to By-law No. 02/2015
Lagoon Upgrade

Local Improvement Plan – (LID #5) –No. 2015-02
Pursuant to Section 315 of *The Municipal Act*

A. Description of the proposed Local Improvement:

The Town of Winnipeg Beach, in a feasibility study completed by Dillon Consulting in 2013, must bring their current wastewater treatment system up to current standards in terms of wastewater treatment and nutrient reduction. The proposed lagoon modifications include:

- 1) Cell 1-S: Aerated lagoon cell for 5-day Biological Oxygen Demand (BOD5) removal equipped with fine-bubble aerators;
- 2) Cell 2-S: Storage cell containing spray aeration systems for treatment and volume reduction;
- 3) Cell 3-S: Storage cell discharged to newly constructed phosphorus reduction system;
- 4) Cell 1-N and 2-N: Original lagoon cells north of Kernstead Road used for additional storage and there are no changes planned for the operation of these cells; and
- 5) Ultraviolet disinfection system and lift station to outfall.

B. Identification of the local improvement district (LID #5):

The local improvement district will include all properties in the municipality other than property described in Section 21 of *The Municipal Assessment Act* which are connected or has the potential to be connected to the Town of Winnipeg Beach sewer system.

C. Identification of the potential taxpayers:

The potential taxpayers will be the property owners of all taxable, grant-in-lieu and otherwise exempt properties in the municipality which are connected or has the potential to be connected to the Town of Winnipeg Beach sewer system and are described in Schedule "C".

D. Method and Rate for calculation of the proposed local improvement tax:

The method to be used for calculating the proposed local improvement tax will be based on an amount for each parcel of land on property that is real property, described in Schedule "C".

The rate will be:

Finance cost - \$84.17 per annum (based on one (1) lot) for the years 2015 to 2024

Or a

Lump-sum cost (pre-payment amount) of \$ 649.95 per one (1) lot) due and payable on a date set by Council.

Pursuant to section 325 of *The Municipal Act*, all taxpayers will be offered the option to pre-pay their portion of the local improvement tax by a date set by Council.

E. Estimated Cost:

The total estimated cost of the local improvement is \$3,500,000.00 allocated to the upgrade.

Aeration System	\$1,000,000.00
Blower Building	\$300,000.00
Wet Well and Lift Pumps	\$200,000.00
Phosphorus Reduction Filter	\$600,000.00
Electrical and Mechanical (including UV)	\$600,000.00
Sub-Total	\$2,700,000.00
Engineering and Contingency (30%)	\$800,000.00
Total	\$3,500,000.00

F. Source of funding:

The Council of the Town of Winnipeg Beach has secured funding from the Building Canada Fund Program on a 1/3; 1/3; 1/3 basis, with the Federal and Provincial portion of \$2,333,333.00.

G. Estimated amount of money to be borrowed:

Amount: \$1,166,668.00
Maximum rate: 5% interest
Term: Ten (10) year term
Annual payment: \$151,088.84

H. Annual funding:

The annual operation or maintenance of the local improvement will be funded through revenues received from the levy charged to customers of the sewer utility.

Town of Winnipeg Beach

Kerry Lawless, Chief Administrative Officer

TOWN OF WINNIPEG BEACH
SCHEDULE – "C" TO BYLAW NO. 02/2015

Finance cost - \$84.17 per annum (based on one (1) parcel of land on property connected to or has the potential to be connected to the sewer system) for the years 2016 to 2025

Or a

Lump-sum cost (pre-payment amount) of \$649.95 per one (1) parcel of land on property connected to the sewer system or has the potential to be connected to the sewer system due and payable on a date set by Council.

on the following properties:

100	5300	10000	14500	19900	24400	28500	30598	30767
200	5400	10100	14600	20000	24500	28530	30600	30771
286	5500	10200	14700	20100	24600	28540	30601	30775
291	5600	10300	14800	20200	24700	28600	30602	30777
320	5700	10400	14900	20300	24800	28700	30603	30779
600	5800	10410	15000	20400	24900	28750	30604	30783
800	5900	10500	15100	20500	25000	28800	30605	30785
900	6000	10600	15200	20600	25100	28850	30610	30787
1000	6100	10700	15300	20700	25110	28855	30620	30789
1100	6200	10800	15400	20800	25120	28900	30621	30791
1200	6300	10900	15500	20900	25200	28950	30622	30793
1600	6400	11000	15600	21000	25300	28960	30623	30795
1650	6500	11100	15700	21100	25400	29000	30624	30797
1700	6700	11200	15800	21200	25600	29100	30625	30799
1885	6800	11300	15900	21300	25700	29200	30626	30801
1890	6900	11400	16000	21400	25800	29250	30627	30803
1895	7000	11500	16200	21500	25900	29400	30650	30805
1900	7100	11600	16300	21600	26000	29500	30701	30807
1905	7200	11700	16400	21700	26100	29525	30703	30809
1910	7300	11800	16500	21800	26200	29550	30705	30811
1915	7400	11900	16600	21900	26300	29600	30707	30813
1920	7500	12000	16700	22000	26400	29700	30709	30815
2000	7600	12100	16800	22100	26500	29800	30711	30817
2180	7700	12200	16900	22200	26600	29900	30713	30819
2200	7800	12300	17000	22300	26700	30000	30715	30821
2300	7900	12400	17100	22400	26800	30050	30719	30900
2500	8000	12500	17200	22500	26900	30100	30721	31000
2600	8100	12600	17300	22600	27000	30150	30727	31100
2700	8200	12700	17400	22700	27100	30200	30729	31200
2900	8300	12800	17500	22800	27200	30250	30731	31300
3000	8400	12900	17600	22900	27300	30400	30735	31400
3400	8500	13000	17700	23000	27400	30410	30737	31500
3800	8600	13100	17800	23100	27500	30430	30739	31550
3800	8700	13200	18100	23200	27600	30440	30741	31555
3900	8800	13300	18200	23300	27700	30496	30743	31559
4000	8900	13400	18300	23400	27800	30498	30747	31561
4200	9000	13500	18400	23500	27900	30500	30749	31600
4400	9100	13600	18500	23600	27999	30505	30751	31700
4500	9300	13700	18600	23700	28000	30510	30753	31800
4600	9400	13800	18700	23800	28100	30515	30755	31900
4700	9500	13900	19100	23900	28200	30520	30757	32000
4800	9600	14100	19501	24000	28210	30540	30759	32100
4900	9700	14200	19511	24100	28300	30550	30761	32120
5100	9800	14300	19516	24200	28400	30555	30763	32150
5200	9900	14400	19521	24300	28450	30560	30765	32200

32210	37300	42895	48100	55300	62400	69600	77000	84300
32220	37400	42900	48200	55400	62500	69700	77100	84400
32230	37500	42906	48300	55500	62600	69800	77200	84500
32300	37525	42908	48400	55600	62700	69900	77300	84600
32400	37550	42910	48500	55700	62800	70000	77400	84700
32490	37600	42912	48600	55800	63000	70100	77450	84750
32500	37700	42914	48700	55900	63100	70200	77540	84800
32550	37725	42916	48800	56000	63200	70500	77600	84900
32600	37800	42918	48900	56100	63225	70600	77900	85000
32700	37900	42920	49000	56200	63500	70650	78000	85100
32800	38000	42922	49100	56300	63600	70700	78100	86100
32900	38200	42924	49200	56400	63800	70900	78300	86300
32950	38300	42926	49300	56500	63900	71000	78600	86400
33000	38400	42930	49500	56600	64000	71100	78700	86450
33050	38500	42932	49600	56700	64100	71200	78900	86500
33090	38600	42934	49700	56800	64200	71300	79000	86600
33100	38700	42936	49800	56900	64300	71350	79100	86700
33150	38800	42938	49900	57000	64500	71500	79200	86800
33200	38900	42940	50000	57100	64600	71600	79300	86900
33250	38995	42942	50100	57200	64700	71700	79400	87000
33300	39000	42944	50200	57300	64800	71900	79500	87100
33400	39100	43000	50300	57400	64900	72000	79600	87200
33450	39200	43200	50400	57500	65000	72100	79700	87300
33500	39300	43300	50500	57600	65100	72200	79900	87400
33600	39400	43400	50600	57700	65200	72300	80000	87500
33700	39500	43500	50700	57800	65300	72400	80100	87600
33800	39600	43600	50800	57900	65400	72500	80200	87700
33900	39700	43700	50900	58000	65500	72600	80225	87800
34100	39800	43800	51000	58200	65600	72700	80250	87900
34200	39900	43900	51100	58300	65700	72800	80300	88000
34280	40000	44000	51200	58400	65800	73100	80400	88100
34290	40100	44100	51300	58500	65900	73200	80500	88200
34300	40190	44200	51400	58600	66000	73300	80600	88400
34310	40200	44300	51500	58900	66100	73400	80700	88500
34320	40300	44400	51600	59000	66200	73500	80900	88600
34330	40400	44500	51700	59100	66300	73600	81000	88700
34400	40425	44600	51800	59200	66400	73700	81100	88800
34500	40450	44800	51900	59300	66500	73750	81200	88900
34700	40500	44900	52000	59400	66600	73800	81300	89000
34750	40600	45000	52100	59500	66700	73900	81400	89100
34755	40750	45100	52200	59600	66800	74000	81550	89200
34800	40756	45200	52300	59700	66900	74200	81700	89300
34900	40760	45400	52400	59800	67000	74300	81800	89400
35000	40762	45500	52500	59900	67100	74400	81900	89480
35050	40764	45600	52600	60000	67200	74500	82000	89500
35070	40766	45700	52700	60100	67300	74600	82100	89600
35100	40768	45800	52800	60200	67400	74700	82200	89700
35200	40772	45900	53000	60300	67500	74800	82300	89900
35300	40774	46000	53100	60400	67600	74900	82400	90000
35400	40776	46100	53200	60500	67700	75000	82500	90100
35500	40778	46200	53400	60600	67900	75100	82600	90200
35600	40800	46300	53500	60700	68000	75200	82700	90300
35700	41500	46400	53600	60800	68100	75300	82800	90400
35800	41600	46500	53800	60900	68200	75400	82850	90500
35900	41700	46600	53900	61000	68300	75600	82900	90700
36000	41800	46700	54000	61100	68400	75700	83000	90800
36100	41850	46800	54200	61200	68500	75800	83100	90900
36200	41900	47000	54300	61300	68600	75900	83200	91000
36400	42000	47100	54400	61400	68700	76000	83300	91100
36500	42050	47200	54500	61500	68800	76100	83400	91200
36600	42100	47400	54600	61600	68900	76200	83500	91300
36700	42300	47500	54700	61700	69000	76400	83700	91400
36800	42400	47600	54800	61900	69090	76800	83800	91500
36900	42500	47700	54900	62000	69100	76820	83900	91600
37000	42600	47800	55000	62100	69200	76840	84000	91700
37100	42700	47900	55100	62200	69300	76860	84100	91800
37200	42800	48000	55200	62300	69500	76880	84200	91900

92000	99400	106800	113400	120200	127800	135100	142000	148900
92200	99600	106900	113500	120300	127900	135200	142100	149000
92300	99700	107000	113600	120400	128000	135300	142200	149100
92400	99800	107100	113700	120500	128100	135400	142300	149200
92500	100000	107200	113800	120600	128200	135500	142400	149300
92610	100100	107300	113900	120700	128300	135600	142500	149400
92900	100200	107400	114000	120800	128400	135700	142700	149500
92950	100300	107500	114100	120900	128500	135800	142800	149600
93000	100400	107600	114200	121000	128600	135900	142900	149700
93100	100500	107700	114300	121101	128700	136000	143000	149800
93200	100600	107800	114400	121103	128800	136100	143100	149900
93300	100800	107900	114500	121105	128900	136200	143200	150000
93500	100900	108000	114600	121200	129000	136300	143300	150100
93600	101000	108100	114700	121500	129100	136400	143500	150200
93700	101200	108200	114800	121600	129200	136500	143600	150300
93800	101300	108300	114900	121700	129300	136600	143700	150400
93900	101400	108400	115000	121800	129400	136700	143800	150600
94000	101500	108500	115100	121900	129500	136800	144000	150700
94100	101600	108600	115200	122000	129600	136900	144100	150800
94200	101700	108700	115300	122100	129700	137000	144200	150900
94400	101800	108800	115400	122300	129800	137100	144300	151000
94500	101900	108900	115500	122400	129900	137200	144400	151100
94600	102200	109000	115600	122500	130000	137300	144500	151200
94800	102300	109100	115700	122600	130100	137400	144600	151300
94900	102400	109200	115800	122700	130200	137500	144650	151400
95000	102500	109300	115900	122800	130300	137600	144700	151400
95100	102600	109400	116000	122900	130400	137700	144800	151500
95200	102700	109500	116100	123000	130600	137800	144850	151600
95300	102800	109600	116200	123100	130700	137900	145100	151700
95400	102900	109700	116300	123200	130900	138000	145200	151800
95500	103100	109800	116400	123300	131000	138100	145300	151900
95700	103200	109900	116500	123400	131100	138200	145400	152000
95800	103300	110000	116600	123500	131200	138300	145500	152050
95900	103400	110100	116700	123600	131300	138400	145600	152100
96000	103500	110200	116800	123700	131400	138500	145700	152200
96100	103600	110300	116900	123800	131600	138600	145800	152300
96200	103700	110400	117000	123900	131700	138700	145900	152400
96300	103800	110500	117100	124000	131900	138800	146000	152500
96400	103900	110600	117200	124100	132000	138900	146100	152600
96500	104000	110700	117300	124200	132100	139000	146200	152700
96550	104100	110800	117400	124300	132200	139100	146300	152800
96600	104200	110900	117450	124400	132300	139200	146400	152900
96700	104300	111000	117500	124500	132400	139300	146500	153000
96900	104400	111100	117600	124600	132500	139400	146600	153050
97000	104500	111200	117700	124700	132600	139500	146700	153100
97100	104600	111300	117800	124800	132700	139600	146900	153200
97300	104700	111400	117900	124900	132800	139700	147000	153250
97400	104800	111500	118000	125000	132900	139800	147100	153300
97600	104900	111800	118200	125100	133000	139900	147150	153400
97700	105000	111850	118300	125200	133100	140000	147200	153450
97800	105100	111950	118400	125300	133200	140050	147300	153490
98000	105200	112000	118500	125500	133300	140100	147400	153500
98100	105300	112050	118600	125800	133400	140200	147500	153600
98150	105400	112100	118700	126400	133600	140300	147600	153700
98200	105500	112190	118800	126500	133700	140400	147700	153800
98300	105600	112200	118900	126600	133800	140600	147750	153900
98400	105700	112300	119000	126700	133900	140700	147800	154000
98500	105800	112400	119100	126800	134000	140800	147900	154100
98550	105900	112500	119200	126900	134100	141000	148000	154200
98600	106000	112600	119300	127000	134200	141100	148100	154300
98700	106100	112700	119400	127100	134300	141200	148200	154400
98800	106200	112800	119500	127200	134400	141300	148300	154500
98900	106300	112900	119600	127300	134500	141400	148400	154600
99000	106400	113000	119800	127400	134700	141500	148500	154700
99100	106500	113100	119900	127500	134800	141600	148600	154850
99200	106600	113200	120000	127600	134900	141700	148700	154900
99300	106700	113300	120100	127700	135000	141800	148800	155000

155100	157300	159300	161300	163400	165500	167500	169500	171912
155200	157400	159400	161500	163500	165600	167600	169600	171913
155300	157500	159500	161600	163600	165700	167700	169700	171914
155400	157600	159600	161700	163700	165800	167800	169800	171915
155500	157700	159700	161800	163800	165900	167900	169900	171916
155600	157800	159800	161900	163900	166000	168000	170000	171917
155650	157900	159900	162000	164000	166100	168100	70100	171918
155800	158000	160000	162100	164100	166200	168200	170200	171919
155900	158100	160100	162200	164250	166300	168300	170300	171920
156000	158200	160200	162300	164300	166400	168400	170600	171921
156100	158300	160300	162400	164350	166500	168500	170725	171922
156200	158400	160400	162500	164400	166600	168600	170750	171923
156400	158500	160500	162600	164500	166700	168700	170800	171924
156500	158600	160600	162700	164600	166800	168750	171000	171925
156600	158700	160700	162800	164700	166900	168800	171300	171926
156700	158800	160800	162900	164800	167000	169000	171500	171927
156800	158900	160900	163000	164900	167100	169100	171800	171928
156900	159000	161000	163100	165100	167200	169200	171900	171929
157000	159100	161100	163200	165300	167300	169300	171910	171930
157200	159200	161200	163300	165400	167400	169400	171911	171931
171932								
171933								
171934								
171935								